

CITY OF TIGARD, OREGON

RESOLUTION NO. 06-07

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 35 (SW ASH AVENUE) AND AMENDING THE PRELIMINARY CITY ENGINEER'S REPORT CONTAINED IN RESOLUTION NO. 05-51.

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WHEREAS, on August 9, 2005, the City Council approved Resolution 05-51 to form Sanitary Sewer District No. 35 to construct sewers in SW Ash Avenue in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 05-51 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has been completed, final costs have been determined, and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, the property owners within the district have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report, as recommended by the City Engineer, are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1        The Final City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 35, attached hereto as Exhibit A, is hereby approved.

SECTION 2        The City Engineer's Report as presented in Resolution No. 05-51 is hereby amended by the attached Final City Engineer's Report (Exhibit A).

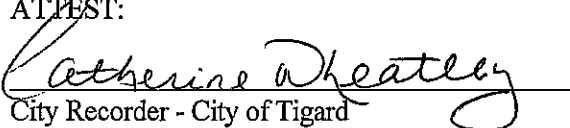
SECTION 3        The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

SECTION 4        This resolution is effective immediately upon passage.

PASSED:        This 14<sup>th</sup> day of February 2006.

  
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Mayor - City of Tigard

ATTEST:

  
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City Recorder - City of Tigard

RESOLUTION NO. 06-07

**Exhibit A**  
Final City Engineer's Report  
**Sanitary Sewer Reimbursement District No. 35**  
**(SW Ash Avenue)**

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program, the City of Tigard installed public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner must pay a connection fee, currently \$2,635, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic systems according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the nine lots in the following table required the extension of an existing sewer in SW Ash Avenue 510 feet south and west. Further extension of the line could have also provided service to 13700 SW Ash Street. However, this lot could be directly served by another existing sewer in Ash Street so it was not included in the district. City staff has discussed service options with the owner.

The project extends sewer service to a total of nine lots as shown on Exhibit Map B.

Cost

The final cost for the sanitary sewer construction to provide service to the nine lots is \$107,476.62. Engineering and inspection fees amount to \$14,509.34 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$121,985.96. This is the amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay a connection and inspection fee, currently \$2,635, upon connection to the public line. All owners will be responsible for all plumbing costs required for work done on private property.

### Reimbursement Rate

All properties are zoned R-4.5 but vary in lot size from about ten thousand to twenty-seven thousand square feet as can be seen in the following list of lots. Therefore, it is recommended that the total cost of the project be divided among the properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

**Each property owner's final fair share of the public sewer line is \$0.618706 per square foot of lot served. Each owner's fair share would be limited to \$6,000, to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed, as provided by Resolution No. 03-55 (attached).**

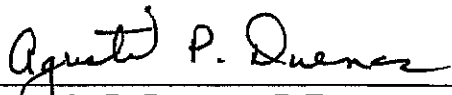
### Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

### Recommendation

It is recommended that Reimbursement District No. 35 be finalized with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted January 31, 2006

  
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Agustín P. Duenas, P.E.  
City Engineer

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**ASH AVENUE**  
**Reimbursement District No. 35**  
*Cost to Property Owners Based on Final Project Cost*

*December 27, 2005*

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Final Construction Cost	<b>\$107,476.62</b>
13.5% for Admin & Eng	\$14,509.34
<b>total project costs</b>	<b>\$121,985.96</b>
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total area to be served (S.F.)	197,163
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total cost per S.F. to property owner	<b>\$0.618706</b>
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**ASH AVENUE**  
**Reimbursement District No. 35**  
*Cost to Property Owners Based on Final Project Cost*  
*December 27, 2005*

OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	FINAL COST TO PROPERTY OWNER	* PAID BY OWNER	PAID BY CITY
ADAMS VERNE E	13565 SW ASH AVE	2S102CD01400	11699.288	\$7,238	\$6,000	\$1,238
BOONE JOE	13605 SW ASH AVE	2S102CD01800	10352.072	\$6,405	\$6,000	\$405
COX FAMILY TRUST	13580 SW ASH AVE	2S102CD02704	26706.496	\$16,523	\$7,523	\$9,000
DIGMAN DONALD C	13600 SW ASH AVE	2S102CD02710	25721.062	\$15,914	\$6,914	\$9,000
OLSON NORRIS A	13660 SW ASH AVE	2S102CD02713	24475.364	\$15,143	\$6,143	\$9,000
OSTROSKA WILLIAM L	13680 SW ASH AVE	2S102CD02716	25319.664	\$15,665	\$6,665	\$9,000
REDLINGER ELIZABETH	13630 SW ASH AVE	2S102CD02707	25103.723	\$15,532	\$6,532	\$9,000
THOMAS ROY F	13560 SW ASH AVE	2S102CD02708	27180.662	\$16,817	\$7,817	\$9,000
YARGER SEAN & APRIL	13585 SW ASH AVE	2S102CD01600	20604.994	\$12,748	\$6,000	\$6,748
<b>Totals</b>			<b>197163</b>	<b>\$121,986</b>	<b>\$59,594</b>	<b>\$62,392</b>
<b>(Cost to Owners + Cost to City)</b>						<b>\$121,986</b>

\* If connections are made in accordance with the incentive program.

ASH AVENUE  
 FY 2005-06 SANITARY SEWER EXTENSION PROGRAM  
 REIMBURSEMENT DISTRICT #35

A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



**NOTE:**

All properties in the reimbursement district are zoned R4.5

**EXHIBIT B**

NTS